

**IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL**

W. P. NO. 5766 (MS) OF 2004

Laloo Ram

.....Petitioner.

Versus

Board of Revenue and Others.

.....Respondents.

Hon'ble Rajesh Tandon, J.

By the present Writ Petition, the petitioner has prayed for quashing of the order dated 10th October, 2004 by which the revision application has been returned to the petitioner for presentation before the court having jurisdiction and the record has been returned.

Briefly stated, the revision was filed against the order dated 21st November, 1997 passed by the Commissioner Kumaon, Nainital in Second Appeal No. 23 of 1974-75. After the order has been passed Uttaranchal State was created as a result of which, the Chief Revenue Commissioner is exercising the entire powers concerning revenue matters.

Liberty is given to the petitioner to move a proper application in the Board of Revenue at Allahabad for transmitting the file to the Chief Revenue Commissioner, Dehradun, who shall dispose of the case in accordance with law after hearing the parties on merits.

Subject to the aforesaid observation, writ petition is disposed of.

(RAJESH TANDON, J.)

29.10.2004

P.S.R.